

1 **WO**

2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Michael Gallegos,
10 Petitioner,

11 v.

12 David Shinn, et al.,
13 Respondents.
14

No. CV-01-01909-PHX-NVW

ORDER


DEATH PENALTY ORDER

15 Before the Court is Petitioner's Motion to Produce Lay Witnesses for Cross-
16 Examination Via Video-Teleconferencing. (Doc. 221.) Citing health concerns raised by
17 the COVID-19 pandemic, Petitioner requests that witnesses Sally Ake, Russell Randall,
18 and Noah Stalvey, who are in a high risk category due to age or underlying health issues,
19 be allowed to testify by video at the upcoming evidentiary hearing. Respondents do not
20 object. Good cause appearing,

21 **IT IS HEREBY ORDERED** granting the motion (Doc. 221). Sally Ake, Russell
22 Randall, and Noah Stalvey are permitted to testify via video-teleconference.

23 **IT IS FURTHER ORDERED** directing Petitioner's counsel to make the
24 arrangements for such testimony.

25 Dated this 27th day of October, 2020.

26 
27 _____
28 Neil V. Wake
Senior United States District Judge